

Application No.: 10/705,337
Amendment dated: June 3, 2005
Reply to Office Action of: March 11, 2005

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): A multi-fluid applicator comprising:

a first elongated tubular housing with a sealed end and an open end;

a fluid enclosed within the first elongated tubular housing;

a second elongated tubular housing with a sealed end and an open end inserted with its sealed end inside the open end of the first elongated tubular housing sealing the fluid within the first elongated tubular housing;

a liquid enclosed within the second elongated tubular housing; and

an opening means that does not include a valve, a plunger, or a spring located near the sealed end of the second elongated tubular housing and positioned within the first elongated tubular housing to allow the fluid in the first elongated tubular housing to commingle with the liquid in the second elongated tubular housing;

wherein after the opening means is opened, the fluid will commingle with the liquid and the two fluids may be ejected from the applicator by squeezing the first elongated tubular housing for application.

Claim 2 (currently amended): A multi-fluid applicator ~~as in claim 1, wherein said opening means is comprising:~~

a first elongated tubular housing with a sealed end and an open end;

a fluid enclosed within the first elongated tubular housing;

a second elongated tubular housing with a sealed end and an open end inserted with its sealed end inside the open end of the first elongated tubular housing sealing the fluid within the first elongated tubular housing;

a liquid enclosed within the second elongated tubular housing; and

an opening means comprising a fracture line near the sealed end of said second elongated tubular housing and positioned within the first elongated tubular housing whereby said sealed end will sever from the remainder of the second elongated tubular housing when the elongated tubular housings are bent near the fracture line to allow the fluid in the first elongated tubular housing to commingle with the liquid in the second elongated tubular housing;

wherein after the opening means is opened, the fluid will commingle with the liquid and the two fluids may be ejected from the applicator by squeezing the first elongated tubular housing for application.

Claim 3 (currently amended): A multi-fluid applicator ~~as in claim 1, wherein~~ comprising:

a first elongated tubular housing with a sealed end and an open end;

a fluid enclosed within the first elongated tubular housing;

a second elongated tubular housing with a sealed end and an open end inserted with its sealed end inside the open end of the first elongated tubular housing sealing the fluid within the first elongated tubular housing;

a liquid enclosed within the second elongated tubular housing;

a viscous substance is disposed near the open end of the second elongated tubular housing to seal the liquid within the second elongated tubular housing and to prevent evaporation of the liquid; and

an opening means located near the sealed end of the second elongated tubular housing and positioned within the first elongated tubular housing to allow the fluid in the first elongated tubular housing to commingle with the liquid in the second elongated tubular housing;

wherein after the opening means is opened, the fluid will commingle with the liquid and the two fluids may be ejected from the applicator by squeezing the first elongated tubular housing for application.

Claim 4 (original): A multi-fluid applicator as in claim 1, wherein an applicator tip is affixed to the open end of the second elongated tubular housing.

Claim 5 (previously presented): A multi-fluid applicator as in claim 1, wherein said open end of the second elongated tubular housing is sealed and provided with a second opening means to allow complete sealing of the liquid in the second elongated tubular housing.

Claim 6 (currently amended): A multi-fluid applicator ~~as in claim 5, wherein said comprising:~~

a first elongated tubular housing with a sealed end and an open end;

a fluid enclosed within the first elongated tubular housing;

a second elongated tubular housing with a first sealed end and a second sealed end inserted with its first sealed end inside the open end of the first elongated tubular housing sealing the fluid within the first elongated tubular housing;

a liquid enclosed within the second elongated tubular housing;

an opening means located near the first sealed end of the second elongated tubular housing and positioned within the first elongated tubular housing to allow the fluid in the first elongated tubular housing to commingle with the liquid in the second elongated tubular housing;
and

a second opening means is comprising a fracture line near the said second sealed end of said second elongated tubular housing whereby said second sealed end will sever from the remainder of the second elongated tubular housing when the second elongated tubular housing is bent near the fracture line;

wherein after the opening means is opened, the fluid will commingle with the liquid and the two fluids may be ejected from the applicator by squeezing the first elongated tubular housing for application.

Claim 7 (previously presented): A multi-fluid applicator as in claims 1, 2, 5, or 6, wherein said fluid is a gas such as air.

Claim 8 (original): A multi-fluid applicator as in claim 1, wherein one of the fluids is replaced with a powder substance wherein when the opening means is opened the fluid in the applicator will mix with the powder substance and subsequently be ejected for application.

Claim 9 (previously presented): A multi-fluid applicator as in claim 1, wherein said liquid is the same as the first fluid.

Claim 10 (currently amended): A multi-fluid applicator comprising:

an elongated tubular housing with a sealed end and an open end;

a restriction disposed between the sealed end and the open end generally separating the elongated tubular housing into two sections;

a first fluid enclosed within the first section near the sealed end of the elongated tubular housing;

a second fluid enclosed within the second section near the open end of the elongated tubular housing;

a first opening means disposed at the restriction in the elongated tubular housing sealing the first fluid within the elongated tubular housing; and

a second opening means that operates independently of the first opening means disposed at the open end of the elongated tubular housing sealing the second fluid within the second section of the elongated tubular housing;

wherein after the first opening means is opened, the first fluid will commingle with the second fluid and the second opening means may subsequently be opened to allow extraction of the fluids from the applicator by squeezing the elongated tubular housing for application.

Claim 11 (currently amended): A multi-fluid applicator ~~as in claim 10, wherein said first and second opening means are in the form of an elongated tube with a sealed end and an open end and a fracture line near the sealed end of said elongated tube whereby said sealed end will sever from the remainder of the elongated tube when the elongated tubular housing is bent near the fracture line comprising:~~

an elongated tubular housing with a sealed end and an open end;

a restriction disposed between the sealed end and the open end generally separating the elongated tubular housing into two sections;

a first fluid enclosed within the first section near the sealed end of the elongated tubular housing;

a second fluid enclosed within the second section near the open end of the elongated tubular housing;

a first opening means comprising an elongated tube with a sealed end and an open end and a fracture line near the sealed end of said elongated tube whereby said sealed end will sever from the remainder of the elongated tube when the elongated tubular housing is bent near the fracture line disposed at the restriction in the elongated tubular housing sealing the first fluid within the elongated tubular housing; and

a second opening means comprising an elongated tube with a sealed end and an open end and a fracture line near the sealed end of said elongated tube whereby said sealed end will sever from the remainder of the elongated tube when the elongated tubular housing is bent near the fracture line that operates independently of the first opening means disposed at the open end of the elongated tubular housing sealing the second fluid within the second section of the elongated tubular housing;

wherein after the first opening means is opened, the first fluid will commingle with the second fluid and the second opening means may subsequently be opened to allow extraction of the fluids from the applicator by squeezing the elongated tubular housing for application.

Claim 12 (original): A multi-fluid applicator as in claim 10, wherein an applicator tip is affixed near the open end of the elongated tubular housing.

Claim 13 (original): A multi-fluid applicator as in claim 10, wherein one of the fluids is replaced with a powder substance wherein when the first opening means is opened the fluid in the applicator will mix with the powder substance and subsequently be ejected for application.

Claim 14 (currently amended): A multi-fluid applicator ~~as in claim 10, wherein said second fluid~~ comprising:

an elongated tubular housing with a sealed end and an open end;

a restriction disposed between the sealed end and the open end generally
separating the elongated tubular housing into two sections;

a first fluid enclosed within the first section near the sealed end of the elongated
tubular housing;

a second fluid which is the same as the first fluid enclosed within the second
section near the open end of the elongated tubular housing;

a first opening means disposed at the restriction in the elongated tubular housing
sealing the first fluid within the elongated tubular housing; and

a second opening means disposed at the open end of the elongated tubular
housing sealing the second fluid within the second section of the elongated tubular housing;

wherein after the first opening means is opened, the first fluid will commingle
with the second fluid and the second opening means may subsequently be opened to allow
extraction of the fluids from the applicator by squeezing the elongated tubular housing for
application.

Claim 15 (original): A multi-fluid applicator comprising:

an elongated tubular housing with a sealed end and an open end;

a restriction disposed between the sealed end and the open end generally separating the elongated tubular housing into two sections;

a first fluid enclosed within the first section near the sealed end of the elongated tubular housing;

a second fluid enclosed within the second section near the open end of the elongated tubular housing;

an opening means in the form of an elongated tube with a sealed end and an open end inserted with its sealed end inside the restriction in the elongated tubular housing sealing the first fluid and the second fluid within the elongated tubular housing;

a first fracture line located near the sealed end of the elongated tube disposed within the first section; and

a second fracture line on the elongated tube located near the open end of the elongated tubular housing;

wherein the opening means may be selectively opened to allow the first fluid, the second fluid, or both fluids to be released from the applicator by first bending and then squeezing the elongated tubular housing for application.

Claim 16 (original): A multi-fluid applicator as in claim 15, wherein an applicator tip is affixed to the open end of the elongated tube.

Claim 17 (original): A multi-fluid applicator as in claim 15, wherein one of the fluids is replaced with a powder substance wherein when both fracture lines of the opening means are fractured the fluid in the applicator will mix with the powder substance and subsequently be ejected for application.

Claim 18 (original): A multi-fluid applicator as in claim 15, wherein said second fluid is the same as the first fluid.

Claim 19 (original): A multi-fluid applicator comprising:

- an elongated tubular housing with a sealed end and an open end;

- a restriction disposed between the sealed end and the open end generally separating the elongated tubular housing into two sections;

- a first fluid enclosed within the first section near the sealed end of the elongated tubular housing;

- a second fluid enclosed within the second section near the open end of the elongated tubular housing;

- an opening means in the form of an elongated tube with a sealed end and an open end inserted with its sealed end inside the restriction in the elongated tubular housing sealing the first fluid and the second fluid within the elongated tubular housing;

- a first fracture line located near the sealed end of the elongated tube and positioned such that when the elongated tube is inserted inside the restriction the first fracture line will be inside the first section;

- a second fracture line located on the elongated tube near the first fracture line opposite the restriction;

- a third fracture line on the elongated tube separated from the first and second fracture lines by a sealed-off section of the elongated tube; and

- a third fluid enclosed in the elongated tube between the sealed end and the sealed-off section of the elongated tube;

wherein the elongated tube will break open when the elongated tubular housing and the elongated tube are bent near the fracture lines and the opening means may be opened to allow the three fluids to be commingled and released from the applicator by squeezing the elongated tubular housing for application.

Claim 20 (original): A multi-fluid applicator as in claim 19, wherein an applicator tip is affixed to the open end of the elongated tube.

Claim 21 (original): A multi-fluid applicator as in claim 19, wherein one or more of the fluids is replaced with a powder substance wherein when the fracture lines are broken open the fluid in the applicator will mix with the powder substance and subsequently be ejected for application.

Claim 22 (original): A multi-fluid applicator as in claim 19, wherein said second fluid and third fluid are the same as the first fluid.

Claim 23 (original): A multi-fluid applicator comprising:

an elongated tubular housing with a sealed end and an open end;

multiple restrictions disposed between the sealed end and the open end generally separating the elongated tubular housing into multiple sections;

a fluid enclosed within one or more of the sections of the elongated tubular housing;

an opening means in the form of an elongated tube with a sealed end and an open end inserted with its sealed end through all the restrictions in the elongated tubular housing sealing the fluids in their respective sections in the elongated tubular housing; and

a fracture line located near each of the restrictions disposed within each section in the elongated tubular housing such that the fluid within a section will be released when the

fracture line in that section is broken open when the elongated tubular housing and the elongated tube are bent near the fracture line;

wherein the opening means may be selectively opened to allow the desired fluid to be released from the applicator by squeezing the section of the elongated tubular housing with the fluid.

Claim 24 (original): A multi-fluid applicator as in claim 23, wherein an applicator tip is affixed to the open end of the elongated tube.

Claim 25 (original): A multi-fluid applicator as in claim 23, wherein one or more of the fluids is replaced with a powder substance wherein when the opening means are opened the fluid in the applicator will mix with the powder substance and subsequently be ejected for application.

Claim 26 (original): A multi-fluid applicator as in claim 23, wherein said fluids are all the same.

Claim 27 (original): A multi-fluid applicator comprising:

an elongated tubular housing with a sealed end and an open end;

multiple restrictions disposed between the sealed end and the open end generally separating the elongated tubular housing into multiple sections;

a fluid enclosed within one or more of the sections of the elongated tubular housing;

an opening means in the form of an elongated tube with an end affixed to the sealed end of the elongated tubular housing and an open end that extends through all the restrictions in the elongated tubular housing sealing the fluids in their respective sections in the elongated tubular housing; and

a fracture line located near each of the restrictions disposed within each section in the elongated tubular housing such that the fluid within a section will be released when the fracture line in that section is broken open when the elongated tubular housing and the elongated tube are bent near the fracture line;

wherein the opening means may be selectively opened to allow the desired fluid to be released from the applicator by squeezing the section of the elongated tubular housing with the fluid.

Claim 28 (original): A multi-fluid applicator as in claim 27, wherein an applicator tip is affixed to the open end of the elongated tube.

Claim 29 (original): A multi-fluid applicator as in claim 27, wherein one or more of the fluids is replaced with a powder substance wherein when the opening means are opened the fluid in the applicator will mix with the powder substance and subsequently be ejected for application.

Claim 30 (original): A multi-fluid applicator as in claim 27, wherein all the fluids are the same.